

## TRAFFIC LAW IMPOTENT

The Annual Report of the Interstate Commerce Commission.

The Act to Regulate the Tariffs of Common Carriers Has Proved Inadequate—Defects in the Statute—Railroads Can Charge What They Please—Amendments Desired.

The thirteenth annual report of the Interstate Commerce Commission was issued yesterday. In its last annual report the commission stated that attention had been called in previous reports to the vital respects in which the act to regulate commerce has proved defective and inadequate, and that until further legislation is provided the best efforts at regulation must be feeble and disappointing.

The present report states that "The requests of the commission for needed amendments have been supported by petitions and memorials from agricultural, manufacturing, and commercial interests throughout the country; yet not a line of the statute has been changed and none of the burdensome conditions which call for relief has been removed or modified. The reasons for the failure of the law to accomplish the purposes for which it was enacted have been so frequently and fully set forth that repetition cannot add to their force or make them better understood. It is sufficient to say that the existing situation and the developments of the past year render more imperative than ever before the necessity for speedy and suitable legislation.

Many persons do not understand the precise nature of the amendments required for enforcing the substantive provisions of the act, while others have apparently reached the belief that no scheme of regulation short of Government ownership and operation can be made effective. Nevertheless, it is to be hoped that nine-tenths of the people do know that any railroad company can charge for its service whatever it pleases and as much as it pleases, without any real check in the price, or any other tribunal or court, to limit the amount of such charge for the future when complaint is made by an aggrieved shipper, and that the law is practically a dead letter in this respect. It is also true that shippers generally have been practically unaided in their efforts to obtain a classification of freight, one that will be uniform for all roads and all sections of the country, and reasonably stable when established.

The tariff bill. "The general public dissatisfaction with the present statute has frequently been expressed in resolutions adopted by various national organizations composed of business men, manufacturers, and farmers, and by the National Convention of Railroad Commissioners. At a conference held in Chicago in November last, and attended by representatives from a number of national associations of manufacturers, merchants, millers, and other branches of trade, a bill embracing the same important amendments which have been recommended by this commission was introduced in the Senate by Senator Cullum, known as Senate Bill No. 1420.

"Such a movement on the part of associated producing and shipping interests, representing, it is said, an amount of invested capital exceeding the aggregate capitalization of all the railroads, is in itself a clear indication of the popular demand. The query suggests itself whether continued failure to perfect the regulating statute on reasonable lines will not soon result in an irresistible demand for the most radical and drastic legislation.

"It is a matter of common knowledge that vast sections of the country are now in process of consolidation, and that the competition of rival lines is to be restrained by these combinations. While this movement has not yet reached the expression in the actual consolidation of railroad corporations, enough has transpired to disclose a unification of financial interests which will dominate the management and operation of the railroads in the future. This is today the most noticeable and important feature of the railway situation. If the plans already in progress are brought to effective results, and others of similar scope are carried to execution, there will be a vast centralization of railway properties, with all the power involved in such far-reaching combinations, yet uncontrolled by any public authority which can be efficiently exercised. The restraints of competition upon excessive and unjust rates will thereby be avoided, and whatever evils may result will be remedied under existing laws.

## Increase in Railroad Business.

"Among the noteworthy facts of general interest is the remarkable increase during the year in the volume of railroad business. This increase has been so great and to an extent so unexpected that many carriers were not prepared for the unusual demands upon their facilities. As a rule their equipment has been taxed to full capacity and often found inadequate for the service required. This, of course, has brought a substantial addition to the gross and net revenue of nearly every road in the country, and greatly reduced the number of railway failures. It has also contributed to the improved observance of published rates, as is stated in another connection, and diminished the frequency of those practices which are made criminal misdemeanors by the statute.

"Coincident with these schemes of unified control, and while this exceptional movement of traffic continues, the carriers operating throughout an extensive and important territory have recently made substantial, and in many cases very large, increases in their scale of charges. These advances in rates have been mainly effected by concerted and agreed changes in the classification of freight articles by roads, both connecting and competing, which use the same classification and make the same a part of the tariffs filed by them under the law. Numerous articles have been taken from the class in which they were formerly placed and put in a higher class, to which a higher rate is applied; and many articles heretofore on the commodity list have been included in the classified traffic, with the result of materially increasing the charges imposed thereon. Advances of rates in this manner have been made on hundreds of articles, many of which are necessities in general use, and constantly moving from place to place in the process of distribution.

"It is not intended to intimate that these advances in rates are unlawful, and no opinion is expressed as to their actual or relative reasonableness. But the fact that such extensive increases in charges have been brought about by the method described must be of significant import and furnish a weighty argument in favor of measures which will effect to secure compliance with the primary requirements of the act.

## Carriers Ignore Shippers.

"These advances in rates have been served upon by the carriers without opportunity, as a rule, for shippers, dealers, or consumers to be heard. It is inevitable that changes so numerous and important, affecting public interests throughout so large a part of the country, will give rise to many complaints, both in

respect of the reasonableness of particular rates complained of and alleged discriminations in the relation of rates. Reference is elsewhere made to the nature and number of complaints and protests on account of these changes in classification and the consequent increase of rates and readjustment of rate relations. Whatever may be the merits of these complaints, the parties making them are recognized by the law as having rights involved in the question of the reasonableness and justice of the charges which they are required to pay. But so long as carriers are practically free to make and apply such rates as they choose, without acting independently or by concert, and whether competing or otherwise, and there is at the same time no adequate provision for determining whether such rates are just and reasonable, or for preventing the extortion of those found unjust and unreasonable, although declared by the statute to be unlawful, the injustice which may result must be without available redress.

"The occasion for several conferences held with presidents and other executive officers during the first portion of the year was found in the general demoralization of rates, through disregard of published rates, which reached an acute and deplorable stage in the autumn of 1898. The consequent traffic between great cities, the published rates were little more than a basis from which to calculate concessions and discriminations, with the result that shippers who failed to secure these unlawful favors were in many cases forced to do business at a loss, and in some instances driven out of business. Unfortunately the commission cannot punish these criminal infractions of the law. The most it can do is to ascertain the facts, if possible, and report them to the Department of Justice. The commission has made earnest and persistent efforts to secure enforcement of the penal provisions of the law, but, whatever may be the reason for failure, the fact is that convictions have been very few in comparison with the number of prosecutions initiated.

"Attempts to enforce the act by criminal prosecutions must, under present conditions and in the present state of the law, be for the most part futile and ineffectual, though it is not doubted that the penal provisions of the statute could be made much more effective by suitable amendment. Under these circumstances but two courses were open to the commission—to accept the situation as unavoidable and merely report to Congress that observance of published tariffs could not be enforced, or endeavor to bring about such new conditions as would result in provisions of law operative to the fullest extent possible for the purpose of securing a pledge from each that its readjustment to its own published rates, the commission perfectly understands that competing carriers have not only the right but the duty to make such adjustments as to what their competitive rates shall be, and then agree with each other to establish and maintain these rates; but the commission believes it is not unlawful for such carriers to mutually agree that each of them will observe whatever rate it publishes, each of them being perfectly free to alter its published rates at will, and to publish and apply just such rates as it pleases, changing or reducing the same whenever it sees fit, in the manner desired, without restriction, and to keep that promise, needs the assurance that its competitors will also in good faith observe their tariffs. The mutual promise to observe their tariffs, each road promising to observe its own tariff, is, in itself, a good faith promise to keep that promise, needs the assurance that its competitors will also in good faith observe their tariffs. The mutual promise to observe their tariffs, each road promising to observe its own tariff, is, in itself, a good faith promise to keep that promise, needs the assurance that its competitors will also in good faith observe their tariffs.

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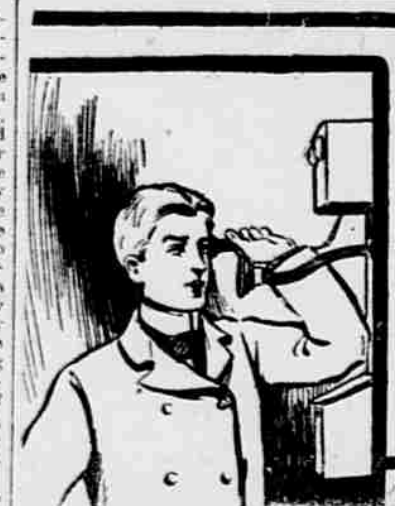
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## BIG RAILWAY DEALINGS

The Pennsylvania Is Said to Control the B. & O. and C. & O.

Purpose of the Recent \$12,000,000 Bond Issue of the Absorbing System—Large Blocks of Stock Recently Secured in the Open Market—The Vanderbilt Acquire the Big Four.

BALTIMORE, Jan. 15.—The annual meeting of the stockholders of the Baltimore and Ohio Railroad Company, which will be held Wednesday next, will, it is believed, in some quarters, reveal the connection of the Pennsylvania-New York Central interests in the Baltimore and Ohio property. The new interests may not show their hands, but it is possible that they may be given representation on the board. The annual meeting and election has been postponed from time to time since November. This, the officials say, is due entirely to the fact that the annual report has not been ready for submission to the stockholders. There is, however, believed to be another and more important cause for the many postponements. Some attribute it to the alleged new deal and others to the wish of the management to announce to the stockholders that the negotiations for the amalgamation of the Baltimore and Ohio Southwestern with the Baltimore and Ohio have been consummated. These negotiations have been pending ever since the Baltimore and Ohio Southwestern was taken out of the receivers' hands.

William M. Greene, former general manager of the Baltimore and Ohio, and now Vice President and General Manager of the Baltimore and Ohio Southwestern, is opposed to any arrangement which has for its object the general amalgamation of the Baltimore and Ohio Southwestern as a division of the Baltimore and Ohio. That is the plan, and it is generally believed that it will be carried out in time, despite Mr. Greene's objection.

The Baltimore and Ohio has issued its own securities in exchange for those of the Baltimore and Ohio Southwestern, and the general amalgamation of the Baltimore and Ohio Southwestern with the Baltimore and Ohio has been consummated. These negotiations have been pending ever since the Baltimore and Ohio Southwestern was taken out of the receivers' hands.

It is pretty well understood that John R. Green will be re-elected President of the Baltimore and Ohio at the annual meeting, and that the Vice President will be re-elected because they were originally elected by the directors and without the formality of a re-election they retain their offices until the successors are elected. It is stated on good authority that the directors will take no action toward changing the vice presidents.

When the stockholders get together they will hear that the Baltimore and Ohio has earned in the last six and a half months over \$5,000,000 net, which is sufficient to cover all of the company's fixed charges. The fiscal year ends June 30, 1900, and a Baltimore and Ohio official stated this morning that if the present rate of earnings continued up to the president's meeting, the company would have sufficient net earnings to pay 4 percent on \$50,000,000 of preferred stock, and in addition 5 percent on the \$50,000,000 of common stock. He added that the 5 percent would not be paid on the common stock, but that a great deal of it would go back into the road for betterment.

According to a despatch from Philadelphia, the real meaning of the new \$12,000,000 Pennsylvania Railroad stock issue does not rest in the plan to abolish grade crossings and the erection of a new station in Pittsburgh at the cost of \$1,500,000, together with betterments elsewhere over the great system, but in meeting payments for extended purchases of stock of the Chesapeake and Ohio, said to amount to 100,000 shares.

A prominent Pennsylvania Railroad official is quoted as saying: "Chesapeake and Ohio shares have been purchased in very quickity during the past few months, in order to effect an important, far-reaching railroad deal. Whenever a share was offered in the market it was picked up, and the purchasing was done so skillfully that the price was not disturbed in the slightest degree. It is stated that Mr. Cassatt bought in this way a block of 100,000 shares of Baltimore and Ohio stock through Jacob Schiff, of Kuhn, Loeb & Co., New York, and James J. Hill, President of the Great Northern. The buying of Chesapeake and Ohio is another story.

"When William K. Vanderbilt succeeded his brother Cornelius he found that the earnings of the Vanderbilt system had been greatly reduced by competition. Then followed the formation of a combination to control the policy of both and select the managers. There is no intention to consolidate the properties. The only purpose of Mr. Vanderbilt and Mr. Cassatt is to establish and maintain rates.

"The New York Central secures practical control of the Big Four and the Lake Erie and Western as its part of the

## Telephone any druggist in the city and ask him about

Laxative Bromo-Quinine Tablets—the original "one day cold cure". He has sold it for years and can tell you of its merits.

Laxative Bromo-Quinine is the only exclusive cold remedy sold by every druggist in the United States and Canada.

Look for this Signature *E. W. Webb* on every box.

## DRUGS. DRUGS.



## TO REST IN ARLINGTON.

The Funeral of Lieutenant Howard, Pilot of the Monitor.

The funeral of Lieutenant Howard, United States Navy, who died on Sunday morning at his residence, 2207 M Street northwest, will be held from the house this afternoon. The services will be in the church of St. John's Lodge, F. A. M., and L. O. O. F., G. A. R., the Rev. Dr. Newman officiating, and the interment being at Arlington. Lieutenant Howard left a daughter, and a granddaughter, both living in Washington. He was seventy-nine years of age.

After risking his life in a thousand ways, Lieutenant Howard died as the direct result of a fall on the sidewalk in front of his house on last Tuesday, concussion of the brain resulting. His death removes from existence the last member of the crew of the Monitor's celebrated Monitor, the vessel from which naval construction has been revolutionized.

He was born in Dublin, and for half a century followed the sea. Coming to America at an early age, he soon became a citizen of the United States, and was between New England ports and the West Indies. Upon the opening of the civil war he offered his services to the Union, and was placed in command of the Monitor, serving on the Lower Mississippi. He was later sent to the Amazon, as acting master, patrolling the coast from Norfolk southward. At this point he witnessed the destruction of the Confederate ironclad Merrimack. Upon the appearance of the Monitor he volunteered his services to pilot her through Hampton Roads, and it was to his able work that so small portion of her victory was due.

After peace had been restored, he was commissioned a Lieutenant in the Revenue Marine Service, and was at times stationed at Baltimore, Savannah, New Orleans, Cedar Keys, and Mobile. One of his firm friendships was with Captain Jack, the pilot of the Merrimack in that most historic naval battle of the civil war. For twenty years Lieutenant Howard remained on the waiting list of the Revenue Marine Service, and had resided in Washington. His health had been almost unimpaired until the accident which caused his death.

## IN HONOR OF LEE'S MEMORY.

## Confederate Veterans' Plans for Their Annual Celebration.

On Friday night the Confederate Veterans of the city are to have their annual celebration in commemoration of the birth of Gen. Robert E. Lee. The committee of arrangements are making elaborate preparations for the entertainment of about two hundred veterans, who may happen to be in the city at the time, with those already residing here. Eloquent speeches are to be delivered by distinguished guests.

The committee having the matter in charge consists of the President of the Confederate Veterans' Association, Capt. William E. Gordon, Chairman; Franklin E. Mackey, Major Robert W. Hunter, Findlay Harris, Thomas W. Hungerford, and John T. Callaghan.

## ABSOLUTE SECURITY.

Genuine

## Carter's Little Liver Pills.

Must Bear Signature of

*See Fac-Simile Wrapper Below.*

Very small and as easy to take as sugar.

CURE SICK HEADACHE.

## NEW TELEPHONE SYSTEM

Its Projectors Given a Hearing by the District Commissioners.

Plan and Scope of the Proposed Company Set Forth in an Application for Incorporation—Proposition to Institute a General Subway—Schedule of Rates to Be Changed.

The representatives of the proposed Washington Telephone and Telegraph Company were given a hearing by the Commissioners yesterday morning on the bill which was introduced in both houses of Congress early this session for the purpose of incorporating the concern in the District of incorporating the concern in the District. The result of the Commissioners' deliberations is not known, but from what was said when the bill was first introduced some time ago, and from the action on similar bills which have been introduced in Congress from time to time, it is not believed that favorable action on the measure will be advised by the executive officers of the District.

The representatives of the new company, H. W. Busk, George H. Webb, H. W. Webb, Sidney Brown, and Samuel Rose, met the Commissioners at 11 o'clock yesterday morning, and the full plans of the company were laid before them. Mr. Webb stated that the concern had heavy financial backing and had already introduced independent systems in other cities. A separate organization is maintained in each city where the system is installed, and it is the intention of the company to join all the large cities on a long distance circuit, which will be operated in connection with the city phones.

"We want to put in a first class plant," Mr. Webb stated. "We will give a metallic circuit, unlimited service without reference to the number of calls, for \$48 for business and \$25 for residence. We do not encourage three or four on a wire. We give a straight telephone wire for \$3 and \$4 a month. We put all our wires under ground as far as we can."

The chief engineer of the Baltimore plant, Sidney H. Brown, told the Commissioners there would not be over forty ducts for the system, this estimate being based upon 5,000 subscribers. By using the 200-pair cable the company would not need more than twenty-five cables, which would allow for a reserve in account of unused or defective wires. The trenches would be laid as close to the surface as possible, he said, and would not be more than two and one-half feet in depth, allowing for the regulation six-inch space between the top of the duct and the surface of the pavement. Another important matter which was brought out was the fact that the company will not use distributing poles on their service. A terra cotta box will be placed on every third or fourth house, and the top line from the ducts would be run through it, and connect with the side pipe running into the house. All house connections will be made through basements or vaults, he further stated.

Commissioner Busk asked Mr. Webb if the large corporation represented would be willing to construct in this city a general subway system and rent out space to all corporations requiring underground service.

Mr. Webb replied that his company would be perfectly willing to do that. "I will go further," he said. "I will say now that I have the plan of a general subway system constructed. I will put down conduits large enough for all purposes, and will rent out space to all who want it. The company will not use distributing poles on their service. A terra cotta box will be placed on every third or fourth house, and the top line from the ducts would be run through it, and connect with the side pipe running into the house. All house connections will be made through basements or vaults, he further stated.

A set of plans for the proposed subway system and a set of plans of the subway existing in other cities was then presented to the Commissioners, and a long time was spent in studying the system and listening to an explanation of its advantages over other subways. "There are a number of conditions to be taken into consideration in connection with the incorporation of this company," Commissioner Wright told a reporter. "The general question of the District subways must be decided, and the future must be looked after. Owing to the proximity of the city to the river it is not possible to open the streets to a great depth without striking water. It is a thing that must be considered very soon, and conditions are arising every day that call for immediate adjustment.

"With the applications that are on file for permits to dig the streets and lay conduits for various purposes the Commissioners have a problem on their hands. The District telephone and telegraph service is now all underground. The telegraph wires of all the companies, the electric light wires as far as practicable, the street car conduits, the sewer and water pipes are some of the things which are now underground, and the question arises what is to be done with the streets, and to what purposes are all these subways to be converted. That is the question

## IN THE POLICE COURT.

## Minor Offenders Sentenced Yesterday by Judge Scott.

There were forty prisoners in the Police Court dock yesterday when Judge Scott took his seat.

George Johnson, colored, Henry Wilson, George Kaine, and Daniel Menney were charged with being idle and suspicious characters. They were arrested Sunday in Benning, while alighting from a freight train. They gave Baltimore, States Island, Hoboken, and Newport News, respectively, as their homes. Judge Scott took their personal bonds upon their promise to leave the city at once.

James R. West and William Taylor, colored, were charged with shooting a dog in Temperance Hall alley northwest. West convinced Judge Scott that he was only half as guilty as Taylor, and was fined \$10, with the alternative of thirty days in jail. Taylor was unable to pay the \$20 fine imposed and was sent to the workhouse for sixty days.

Burt Arnold was charged with vagrancy and begging from house to house. A farm sentence of fifteen days was imposed.

Daniel Forsyth, a soap vender, was arraigned on a charge of lighting on the streets. He told the court that a drunken man and tried to take his soap away from him Saturday night in Pennsylvania Avenue. He admitted that a fight followed, in which witness received a black eye. A fine of \$5, with the alternative of fifteen days in the workhouse, was imposed.

Frank Phillips, for vagrancy, was sent to the workhouse for thirty days. James Lawrence, colored, was charged with disorderly conduct in the form of jumping street cars. A fine of \$5, with the alternative of fifteen days in the workhouse, was imposed.

John Smith, colored, for acting in an unruly manner in Rhode Island Avenue northwest, was sent to the workhouse for thirty days.

John Wolfe, for having no visible means of support, was sent to the workhouse for thirty days.

Charles Fox, Edward Smith, and Fred Cramer were charged with vagrancy. They were arrested yesterday in Benning. Smith told the best story, and his personal bonds were taken. The other two were sent to the workhouse for thirty days each.

Hattie Bell and Mary Johnson, colored, were each fined \$5, with the alternative of fifteen days on the farm, for disorderly conduct in H Street northwest.

William Bowen, colored, was arraigned on charges of disorderly conduct and assaulting Mamie Henderson. The trouble occurred in Armory Place southwest. A sentence of fifteen days in the workhouse was imposed in each case.

People's opinion about the quality of Hecker's beer is as a unit. Everybody drinks Hecker's, Senate, and Lager because they are the best and most wholesome beer brewed. Phone 604, Arlington Bottling Co., for a case.

## CORONER'S JURY HOLDS VALE.

## Accused of Responsibility for Alex. Jackson's Death.

Nelson Vale, colored, was yesterday held by a jury of inquest to be responsible for the death of Alexander Jackson, also colored, who died at the Georgetown University Hospital Sunday afternoon as the result of a wound inflicted by a bullet fired by Vale.

Coroner Carr committed Vale to jail to await the action of the grand jury. Mary Ellis, over whom the men are said to have quarreled, and who was arrested at a United States witness, was ordered released from custody.

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People's opinion about the quality of Hecker's beer is as a unit. Everybody drinks Hecker's, Senate, and Lager because they are the best and most wholesome beer brewed. Phone 604, Arlington Bottling Co., for a case.

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